

MINUTES

FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
TUESDAY, DECEMBER 19, 2023

TIME: 6:30 p.m.

THERE WAS A WORKSHOP BEGINNING AT 6:00PM

1) **CALL TO ORDER:**

Mayor Nyquest called the meeting to order at 6:30 pm

2) **PLEDGE TO FLAG:**

The audience and council stood for the pledge to the flag.

3) **ROLL CALL:**

Those present were:

Nyquest, Blair, LaVoie, Burger, Hartwell, Kaer & Oatman.

4) **APPROVAL OF AGENDA:**

Burger moved to approve the agenda. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda

F/S: Nyquest/Hartwell

YEAS: Nyquest, Blair, LaVoie, Burger, Hartwell, Kaer & Oatman

NAYS: None

STATUS: Motion Passed.

5) **MAYOR'S REPORT:**

Mayor Nyquest provided the following report:

- Traveled this last week for the RUBA Utility Management Training. It was very informative, and I was able to learn a lot, meet a lot of government officials, our Local Government Specialist.
- Thank you, John for the sign, at the cutoff there at Rainy Lane. It was requested by a resident, and I appreciate that going up.
- I wanted to provide my time to the public where they could come into City Hall and speak to me. At this time January 8, 9, & 10, I will be in City Hall and available to the public.

6) **ADMINISTRATIVE REPORTS:**

a) **City Administrator:**

John Huestis provided the following Administrator Report:

- Working on typical fall/winter maintenance issues and special projects as required.
- We now have the new power pole and meter box re-installed on the fire/ems hall and AP&T have reconnected the power to the building.
- Work on the construction of new City bridges on the Kasaan Road has officially begun. Some of OVK's new construction equipment showed up today on the barge.
- Next meeting I hope to provide a brief for the Council on the activities and projects on the Kasaan Access Road and some of the history.

- The City lot across from the Fire/EMS hall is currently being surveyed by Gary Tams of GT Land Surveying for Community Connections for future building considerations. If things look favorable, they will want to talk to you about building.
- Project to repair leaking EMS/Fire Hall will focus on completion of training room, then rest of building. Goal is to have all work completed by early spring. Work should resume after Holidays.
- Administration has made a pitch to the State of Alaska Mental Health Trust for a land swap. The state is discussing the concept, but it makes sense for the city for many reasons. Any decisions on the matter would of course be brought to the Council for approval. (See Handout)
- I have been in communication with Atlas Tower about the possibility of leasing some City property. Discussion and resolution later in the meeting
- We have been waiting to hear back on two grant applications that would supply funding for reconstruction of the first 5.4 miles of the Kasaan Road. We heard back from RURAL and our project was not selected for funding. The State DOT has finally rescheduled their meeting and will be meeting tomorrow to discuss our other grant application for the same section of the road. It will still be some time after the meeting before we will know the final outcome but at least they finally are meeting. Funding is less than they first advertised though but we don't yet know how much.
- We are preparing for wintertime maintenance activities such as plowing and sanding the roads as we expect to see some snow as early as later this week.
- We received a letter from Pat Tierney about the seasonal No Parking on Rainy Lane. I had a follow-up discussion with Pat and suggested we revisit the issue after the winter plowing and sanding season to see if there were areas where parking might be allowed where the road is wider. The council should be in receipt of this letter.

b) City Clerk:

The Clerk Report is attached to the minutes.

7) DEPARTMENT REPORTS:

a) Water Operator Report

Water Report is attached to the minutes.

b) EMS Report

Victoria Anderson EMS Coordinator provided the following EMS Report:

- Thank you to all EMS Dispatchers, Drivers and Responders for giving up their time over the holidays.
- I was looking at the EMS page on the City Website and it is extremely outdated.
- Toys for Tots was a huge success. Thank you to the EMS personnel that helped to put that together. Anyone needing toys, get with our EMS personnel and they will get you a gift.

8) PUBLIC COMMENTS:

Tom Cunningham commented on the following:

- Read a memo from Elen Dillman, South Thorne Bay Resident, regarding a light needed at the entrance to South Thorne Bay.

Gary Anderson

- Received the same offer from Atlas Tower regarding the Cell Tower. Canvass business owners to make sure you are not competing.

- The City is receiving sales tax on bank fees, more than likely this is hurting the lowest income people in the community.
- Suggested a Flat Penny Tax per gallon. I brought this up last year and nothing was done, so I am bringing this up again.

Tom Cunningham commented on the following:

- Regarding the Voting issue at Davidson Landing. Read a letter from Lori Wilson, Region I Elections Director.
- Commented that the State's voting format would be easy for the City to follow. Stated he recommended that the City do that.

9) COUNCIL COMMENTS:

Sean Kaer commented on the following:

- Agreed with Thom Cunningham's suggestion on having voting at Southside. Received a lot of comments from the public regarding no voting there this last year.
- Thank you to Gary and Victoria for all they have done. Give them a lot of credit for what they have done with the EMS. Nice Job Victoria for getting 20 volunteers.
- Question from pre-covid, Klawock used our triage tents from Wrangell with intention to be used in case of emergencies in Thorne Bay. How do we work to get them returned to Thorne Bay?
- Commented on the closed bridge at Tolstoi Bay, would like to see that back open to the public.
- Cell Tower in Thorne Bay is a great idea.
- Regarding the light at the Subdivision Turnoff. I pay for my own streetlight, and we could get an LED light up for five dollars a month, or if its more, we could probably get a break on that.

Robert Hartwell commented on the following:

- Commented on the interest he had seen for putting the Lords Prayer onto the Agenda. Stated that something like this should be done by an ordinance. Should check with the attorney before doing that.

Mayor Nyquest commented on the following:

- I was the one who wanted the Prayer on the agenda. I have checked with our LGS and found it should be an ordinance.

Oatman commented on the following:

- Questioned Gary Anderson about the location of the tower that Atlas Towers inquired, Anderson replied "at the Port"
- Discussion followed on the importance of the Resolution to be passed versus going straight to a non-code ordinance.

Sean Kaer commented on the following:

- Support Prayer, this country was founded on God.
- Regarding the 5.5 miles of paving, Wale Pass and Thorne Bay were the two priorities for getting paving done. Not sure what happened, Wale Pass got theirs and Thorne Bay did not.
- AP&T also wanted to run fiber optic on their way out to Kasaan, and that paperwork never got pushed through.

10) CONSENT AGENDA:

a) MINUTES

i. Minutes of the November 14, 2023, Regular City Council Meeting, discussion and action item:

Nyquest moved to approve the consent agenda, consisting of the November 14, 2023, Regular City Council Meeting.

MOTION: Move to approve the consent agenda.
F/S: Nyquest / Hartwell
YEAS: Burger, Hartwell, Kaer Nyquest, Oatman, Lavoie & Blair
NAYS: None
STATUS: Motion Passed.

11) **NEW BUSINESS**

a) Resolution 23-12-19-01: A Resolution of the City of Thorne Bay Authorizing the Mayor and City Administrator to Negotiate Lease Terms with Atlas Towers, discussion and action item;

Nyquest moved to approve Resolution 23-12-19-01, authorizing the Mayor and City Administrator to Negotiate Lease Terms with Atlas Towers. Burger seconded the motion.

Oatman inquired if there would be a public hearing before a lease was entered into? Nyquest responded that it would be a Non-Code ordinance which requires a public hearing.

MOTION: Move to approve Resolution 23-12-19-01, authorizing the Mayor and City Administrator to Negotiate Lease Terms with Atlas Towers
F/S: Nyquest/Burger
YEAS: Hartwell, Nyquest, Burger, Kaer, Oatman, Lavoie & Blair
NAYS: None
STATUS: Motion Passed.

12) **ORDINANCES FOR PUBLIC HEARING: None**

13) **ORDINANCES FOR INTRODUCTION: None**

14) **CONTINUATION OF PUBLIC COMMENT:**

Thom Cunningham commented on the following:

- Agree with Hartwell's comments regarding separation of Church and State. We give honor to God during the Pledge of Allegiance.

Victoria Anderson commented on the following:

- Responding to Seans question, the Tent was taken to Klawock because they were better equipped to care for it.

Gary Anderson commented on the following:

- Stated he believed the city made a mistake in that vote because you eliminate all negotiating power for any private person because the City has resources that they don't. The City also gets 6% off of the top of anything we think they were saying, so if you deal with them, I want 6%.

Thom Cunningham commented on the following:

- Regarding cell tower, doesn't it give more coverage if you have higher elevation? If not, why not put it at Davidson's Landing.

15) **CONTINUATION OF COUNCIL COMMENT:**

Mayor Nyquest commented on the following:

- Prayer can be controversial and appreciate everyone's concerns. With research, you'll find historically all sessions were opened with prayer and people still do I today. If we don't stand up as a people for what we believe in, people will eventually come in and say, "we don't believe in your flag and I want you to stop pledging the flag" and we need to step up and say "No, we are going to do what's right. People died for our right to stand up for what we believe in. Whether you believe in the Lord or not, we can still have the Lord's Prayer and be ok. As mayor, I will make sure to the best of my ability that I do things legally and please as many people as I can. If you have been in this chair, you find out right away, you can't please everyone. I'm going to do what's right and please as many people as I can.

Hartwell stated he spent 24 and a half years of life defending that flag and would die before they take that from him.

Kaer comments on the following:

Thank you to everyone for their service.

Address Gary's concerns about the Tower negotiations to clarify intentions behind his vote cast.

16) ADJOURNMENT:

Mayor Nyquest adjourned the meeting at 7:35pm

Shane Nyquest, Mayor

ATTEST:

Caitlyn Sawyer, City Clerk/Treasurer